

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

ROBERT GENE BAILEY,)	
)	
Plaintiff,)	
)	
v.)	1:16CV1408
)	
JOSEPH GARDNER, et al.,)	
)	
Defendants.)	

ORDER

On June 28, 2017, the United States Magistrate Judge's Recommendation was filed and notice was served on the parties pursuant to 28 U.S.C. § 636. Plaintiff filed objections (Doc. 9) within the time limit prescribed by Section 636.

The court has reviewed Plaintiff's objections *de novo* and finds that they do not change the substance of the United States Magistrate Judge's Recommendation (Doc. 7), which is affirmed and adopted.

IT IS THEREFORE ORDERED that this action is DISMISSED *sua sponte* without prejudice.

/s/ Thomas D. Schroeder
United States District Judge

September 26, 2017